

### **IC 20-6.1-3**

#### **Chapter 3. Licenses**

### **IC 20-6.1-3-1**

#### **Licensing authority**

Sec. 1. The board is responsible for the licensing of teachers.

*As added by Acts 1976, P.L.100, SEC.1. Amended by P.L.20-1984, SEC.79; P.L.46-1992, SEC.10.*

### **IC 20-6.1-3-1.5**

#### **"Board" defined**

Sec. 1.5. Notwithstanding IC 20-6.1-1-1, as used in this chapter, "board" refers to the professional standards board established by IC 20-1-1.4.

*As added by P.L.46-1992, SEC.11.*

### **IC 20-6.1-3-2**

#### **Substitute teachers**

Sec. 2. The board may adopt rules for:

- (1) the issuance of a substitute license; and
- (2) the employment of substitute licensees.

A person may not serve as a substitute teacher without a license issued by the board.

*As added by Acts 1976, P.L.100, SEC.1. Amended by P.L.20-1984, SEC.80; P.L.46-1992, SEC.12.*

### **IC 20-6.1-3-3**

#### **Duties of board**

Sec. 3. (a) The board shall designate:

- (1) the grade average required for each kind of license; and
- (2) the kinds of license to which the teachers' minimum salary laws apply, including nonrenewable one (1) year limited licenses.

(b) The board shall determine details of licensing not provided in this chapter. These details may include requirements regarding:

- (1) the conversion of one kind of license into another;
- (2) the accreditation of teacher training schools and departments;
- (3) the exchange and renewal of licenses;
- (4) the endorsement of another state's license;
- (5) the acceptance of credentials from teacher training institutions of another state;
- (6) the academic and professional preparation for each kind of license;
- (7) the granting of permission to teach a high school subject area related to the subject area for which the teacher holds a license;
- (8) the issuance of licenses on credentials;
- (9) the kind of license for each school position;
- (10) the size of an elementary school requiring a licensed

principal; and  
(11) other related matters.

However, the board shall, not later than December 31, 1984, establish at least one (1) system for renewing a teaching license that does not require a graduate degree.

- (c) The board shall periodically publish bulletins regarding:
- (1) the details described in subsection (b);
  - (2) information on the kinds of licenses issued;
  - (3) the rules governing the issuance of each kind of license; and
  - (4) other similar matters.

*As added by Acts 1976, P.L.100, SEC.1. Amended by P.L.114-1984, SEC.1; P.L.20-1984, SEC.81; P.L.160-1991, SEC.1; P.L.156-1997, SEC.1.*

#### **IC 20-6.1-3-4**

##### **Application for license; oaths**

Sec. 4. (a) Each person who applies for a license or a license renewal to teach in a public school shall subscribe to the following oath or affirmation, which may be administered by the governing body:

"I solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of Indiana.

(b) Two (2) copies of this oath or affirmation shall be executed as follows:

- (1) One (1) copy shall be filed with the state superintendent when the license application is made.
- (2) The person subscribing to the oath or affirmation shall retain the other copy.

(c) The oath or affirmation must be filed with the state superintendent before a license may be issued.

*As added by Acts 1976, P.L.100, SEC.1. Amended by P.L.135-1988, SEC.2.*

#### **IC 20-6.1-3-5**

##### **Out-of-state applicant**

Sec. 5. Out-of-State Applicant. When a teacher, who is a graduate of an accredited institution out-of-state, does not meet certain technical requirements for a license, that teacher may be granted a particular kind of license and a reasonable amount of time to fulfill those requirements.

*As added by Acts 1976, P.L.100, SEC.1.*

#### **IC 20-6.1-3-6**

##### **Fees for licenses**

Sec. 6. (a) The following fees remain in effect and shall be collected by the board until replaced by new fees adopted by rule under this section:

- (1) Five dollars (\$5) for evaluation of the qualifications of applicants for licenses to practice as a teacher.

(2) Five dollars (\$5) for licensure to practice as a teacher.

(3) Five dollars (\$5) for the issuance of a duplicate license to practice as a teacher.

(b) The board shall adopt by rule and cause to be collected fees sufficient to pay all of the costs of the services described in subsection (a)(1), (a)(2), and (a)(3).

(c) All fees collected under this section shall be deposited in the state general fund for use by the board in complying with the duties of the board.

*As added by Acts 1976, P.L.100, SEC.1. Amended by P.L.20-1984, SEC.199; P.L.46-1992, SEC.13.*

### **IC 20-6.1-3-7**

#### **License revocation and suspension**

Sec. 7. (a) On the written recommendation of the state superintendent, the board may suspend or revoke a license for:

- (1) immorality;
- (2) misconduct in office;
- (3) incompetency; or
- (4) willful neglect of duty.

However, for each suspension or revocation, the board shall comply with IC 4-21.5-3.

(b) This subsection applies when a prosecuting attorney knows that a licensed employee of a public school (as defined in IC 20-10.1-1-2) or a nonpublic school has been convicted of an offense listed in subsection (d). The prosecuting attorney shall immediately give written notice of the conviction to the following:

- (1) The state superintendent.
- (2) Except as provided in subdivision (3), the superintendent of the school corporation that employs the licensed employee or the equivalent authority for the nonpublic school.
- (3) The presiding officer of the governing body of the school corporation that employs the licensed employee, if the convicted licensed employee is the superintendent of the school corporation.

(c) The superintendent of a school corporation, presiding officer of the governing body, or equivalent authority for a nonpublic school shall immediately notify the state superintendent when the person knows that a current or former licensed employee of the public school or nonpublic school has been convicted of an offense listed in subsection (d).

(d) The board, after holding a hearing on the matter, shall permanently revoke the license of a person who is known by the board to have been convicted of any of the following felonies:

- (1) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age.
- (2) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age.
- (3) Rape (IC 35-42-4-1), if the victim is less than eighteen (18) years of age.

- (4) Criminal deviate conduct (IC 35-42-4-2), if the victim is less than eighteen (18) years of age.
- (5) Child molesting (IC 35-42-4-3).
- (6) Child exploitation (IC 35-42-4-4(b)).
- (7) Vicarious sexual gratification (IC 35-42-4-5).
- (8) Child solicitation (IC 35-42-4-6).
- (9) Child seduction (IC 35-42-4-7).
- (10) Sexual misconduct with a minor (IC 35-42-4-9).
- (11) Incest (IC 35-46-1-3), if the victim is less than eighteen (18) years of age.
- (12) Dealing in or manufacturing cocaine, a narcotic drug, or methamphetamine (IC 35-48-4-1).
- (13) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
- (14) Dealing in a schedule IV controlled substance (IC 35-48-4-3).
- (15) Dealing in a schedule V controlled substance (IC 35-48-4-4).
- (16) Dealing in a counterfeit substance (IC 35-48-4-5).
- (17) Dealing in marijuana, hash oil, or hashish (IC 35-48-4-10(b)).

(e) A license may be suspended by the state superintendent as specified in IC 20-6.1-4-13.

*As added by Acts 1976, P.L.100, SEC.1. Amended by P.L.20-1984, SEC.82; P.L.7-1987, SEC.92; P.L.11-1994, SEC.9; P.L.195-1995, SEC.3; P.L.37-2000, SEC.3; P.L.161-2003, SEC.2.*

### **IC 20-6.1-3-7.1**

#### **Requirements of applicants; denial of license or certificate; costs**

Sec. 7.1. (a) As used in this section, "applicant" refers to an applicant for:

- (1) a new license;
- (2) a renewal license; or
- (3) a substitute teacher certificate;

issued by the board.

(b) As used in this section, "limited criminal history" has the meaning set forth in IC 10-13-3-11.

(c) As used in this section, "disposition" has the meaning set forth in IC 10-13-3-7.

(d) An applicant must do the following:

- (1) Submit a request to the Indiana central repository for limited criminal history information under IC 10-13-3.
- (2) Obtain a copy of the limited criminal history for the applicant from the repository's records.
- (3) Submit to the board the limited criminal history for the applicant.
- (4) Submit to the board a document verifying a disposition that does not appear on the limited criminal history for the applicant.

(e) The board may deny the issuance of a license or certificate to an applicant who is convicted of an offense for which the individual's

license may be revoked or suspended under this chapter.

(f) The board must use the information obtained under this section in accordance with IC 10-13-3-29.

(g) An applicant is responsible for all costs associated with meeting the requirements of this section.

*As added by P.L.155-1997, SEC.3. Amended by P.L.54-1998, SEC.3; P.L.2-2003, SEC.57.*

### **IC 20-6.1-3-8**

#### **Records**

Sec. 8. (a) The board shall keep a record of:

- (1) all licenses issued;
- (2) all licenses in force; and
- (3) the academic preparation, professional preparation, and teaching experience of each applicant for a license or a license renewal.

(b) Each superintendent shall register and keep a record of:

- (1) the kind of license held by each teacher;
- (2) each teacher's date of first employment; and
- (3) each teacher's annual or monthly salary.

*As added by Acts 1976, P.L.100, SEC.1. Amended by P.L.46-1992, SEC.14.*

### **IC 20-6.1-3-9**

#### **Renewal; additional semester hours requisite**

Sec. 9. (a) The board shall not renew the junior high/middle school or secondary education license of a teacher on the basis of the teacher obtaining a graduate degree unless the teacher completes at least the equivalent of eighteen (18) semester hours beyond the teacher's undergraduate degree in any combination of courses in the teacher's major, minor, primary, supporting, or endorsement areas. These semester hours may include graduate hours, undergraduate hours, or both, as determined by the board.

(b) The board may adopt rules under IC 4-22-2 to create exceptions to subsection (a) and may grant individual waivers to subsection (a).

(c) This section does not apply to anyone who, on or before September 1, 1985, has earned more than the equivalent of twelve (12) semester hours of graduate credit.

*As added by P.L.115-1984, SEC.1. Amended by P.L.199-1985, SEC.2; P.L.5-1988, SEC.103.*

### **IC 20-6.1-3-10 Repealed**

*(Repealed by P.L.156-1997, SEC.3.)*

### **IC 20-6.1-3-10.1**

#### **Initial standard license; requirements; rules; delinquent tax liability**

Sec. 10.1. (a) The board may not grant an initial standard license to an individual unless the individual has demonstrated proficiency

in the following areas on a written examination or through other procedures prescribed by the board:

- (1) Basic reading, writing, and mathematics.
- (2) Pedagogy.
- (3) Knowledge of the areas in which the individual is required to have a license to teach.
- (4) If the individual is seeking to be licensed as an elementary school teacher, comprehensive reading instruction skills, including:

- (A) phonemic awareness; and
- (B) phonics instruction.

(b) An individual's license examination score may not be disclosed by the board without the individual's consent unless specifically required by state or federal statute or court order.

(c) The board shall adopt rules under IC 4-22-2 to do the following:

- (1) Adopt, validate, and implement the examination or other procedures required by subsection (a).
- (2) Establish examination scores indicating proficiency.
- (3) Otherwise carry out the purposes of this section.

(d) The board shall adopt rules under IC 4-22-2 establishing the conditions under which the requirements of this section may be waived for individuals holding valid teachers licenses issued by another state.

(e) Subsection (a) does not apply to individuals holding Indiana limited, reciprocal, or standard teaching licenses on June 30, 1985.

(f) If the board is notified by the department of state revenue that a person is on the most recent tax warrant list, the board may not grant an initial standard license to the person until:

- (1) the person provides the board with a statement from the department of state revenue indicating that the person's delinquent tax liability has been satisfied; or
- (2) the board receives a notice from the commissioner of the department of state revenue under IC 6-8.1-8-2(k).

*As added by P.L.156-1997, SEC.2. Amended by P.L.135-2000, SEC.1.*

### **IC 20-6.1-3-11**

#### **Transition to teaching program**

Sec. 11. (a) As used in this section, "program" refers to the transition to teaching program established by subsection (b).

(b) The transition to teaching program is established to accomplish the following:

- (1) Facilitate the transition into the teaching profession of competent professionals in fields other than teaching.
- (2) Allow competent professionals who do not hold a teaching license to earn and be issued a teaching license through participation in and satisfactory completion of the program.

(c) Subject to the requirements of this section, the board shall develop and administer the program. The board shall determine the

details of the program that are not included in this section.

(d) Each accredited teacher training school and department shall establish a course of study that constitutes the higher education component of the program. The higher education component required under this subsection must comply with the following requirements:

(1) Include the following study requirements:

(A) For a program participant who seeks to obtain a license to teach in grade 6 through grade 12, up to eighteen (18) credit hours of study or the equivalent that prepare a program participant to meet Indiana standards for teaching in the subject areas corresponding to the area in which the program participant has met the education requirements under subsection (e), unless the program participant demonstrates that the program participant requires fewer credit hours of study to meet Indiana standards for teaching.

(B) For a program participant who seeks to obtain a license to teach in kindergarten through grade 5, twenty-four (24) credit hours of study or the equivalent, which must include at least six (6) credit hours in the teaching of reading, that prepare a program participant to meet Indiana standards for teaching, unless the program participant demonstrates that the program participant requires fewer credit hours of study to meet Indiana standards for teaching.

(2) Focus on the communication of knowledge to students.

(3) Include suitable field or classroom experiences if the program participant does not have teaching experience.

(e) A person who wishes to participate in the program must have one (1) of the following qualifications:

(1) For a program participant who seeks to obtain a license to teach in grade 6 through grade 12, one (1) of the following:

(A) A bachelor's degree or the equivalent with a grade point average of three (3.0) on a four (4.0) scale from an accredited institution of higher education in the subject area that the person intends to teach.

(B) A graduate degree from an accredited institution of higher education in the subject area that the person intends to teach.

(C) Both:

(i) a bachelor's degree from an accredited institution of higher education with a grade point average of two and five-tenths (2.5) on a four (4) point scale; and

(ii) five (5) years of professional experience; in the subject area that the person intends to teach.

(2) For a program participant who seeks to obtain a license to teach in kindergarten through grade 5, one (1) of the following:

(A) A bachelor's degree or the equivalent with a grade point average of three (3.0) on a four (4.0) scale from an accredited institution of higher education.

(B) Both:

- (i) a bachelor's degree from an accredited institution of higher education with a grade point average of two and five-tenths (2.5) on a four (4.0) point scale; and
- (ii) five (5) years of professional experience in an education-related field.

(f) The board shall grant an initial standard license to a program participant who does the following:

- (1) Successfully completes the higher education component of the program.
  - (2) Demonstrates proficiency through a written examination in:
    - (A) basic reading, writing, and mathematics;
    - (B) pedagogy; and
    - (C) knowledge of the areas in which the program participant is required to have a license to teach;
- under section 10.1(a) of this chapter.

(3) Participates successfully in a beginning teacher internship program under IC 20-6.1-8 (repealed) that includes implementation in a classroom of the teaching skills learned in the higher education component of the program.

(4) Receives a successful assessment of teaching skills upon completion of the beginning teacher internship program from the administrator of the school where the beginning teacher internship program takes place, or, if the program participant does not receive a successful assessment, participates in the beginning teacher internship program for a second year, as provided under IC 20-6.1-8-13 (repealed). The appeals provisions of IC 20-6.1-8-14 (repealed) apply to an assessment under this subdivision.

(g) This subsection applies to a program participant who has a degree described in subsection (e) that does not include all the content areas of a standard license issued by the board. The board shall issue an initial standard license that is restricted to only the content areas in which the program participant has a degree unless the program participant demonstrates sufficient knowledge in other content areas of the license.

(h) A school corporation may hire a program participant to teach only in the subject area in which the participant meets the qualifications set forth under subsection (e).

(i) After receiving an initial standard license under subsection (f) or (g), a program participant who seeks to renew the participant's initial standard license must meet the same requirements as other candidates for license renewal.

(j) The board may adopt rules under IC 4-22-2 to administer this section. Rules adopted under this subsection must include a requirement that accredited teacher training schools and departments submit an annual report to the board of the number of individuals who:

- (1) enroll in; and
  - (2) complete;
- the program.



*As added by P.L.100-2001, SEC.22. Amended by P.L.97-2004, SEC.73.*

**IC 20-6.1-3-12**

**Applicability**

Sec. 12. (a) This section applies to an examination that is required for teacher licensure under this chapter.

(b) If an individual does not demonstrate the level of proficiency required to receive a license on all or a part of an examination, the examination's scorer must provide the individual with the individual's test scores, including subscores for each area tested.

*As added by P.L.206-2003, SEC.1.*